



Express Mail No.: EV 335 859 053 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Dasseux <i>et al.</i>	Confirmation No.:	1151
Serial No.:	10/657,810	Art Unit:	1645
Filed:	September 8, 2003	Examiner:	To be assigned
For:	FOURIER TRANSFORM MASS SPECTROMETRY OF COMPLEX BIOLOGICAL SAMPLES	Attorney Docket No:	10173-104-999

**TRANSMITTAL OF REVOCATION AND POWER OF ATTORNEY**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.36, submitted herewith is a Revocation and Power of Attorney executed by Roger S. Newton, President and CEO of Esperion Therapeutics, Inc., the assignee of the entire right, title and interest in, to and under the above-identified application.

Please direct all correspondence and telephone calls to Jones Day at the address indicated below. It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 16-1150.

Respectfully submitted,

Date: February 17, 2004

Anthony M. Insogna 35,203  
Anthony M. Insogna (Reg. No.)

By: Christine B. Chua 51,562  
Christine B. Chua (Reg. No.)

**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
(212) 326-3939

Enclosures



Express Mail No.: EV 335 859 053 US

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux et al. Confirmation No.: 1151  
Serial No.: 10/657,810 Art Unit: 1645  
Filed: September 8, 2003 Examiner: To be assigned  
For: FOURIER TRANSFORM MASS SPECTROMETRY Attorney Docket No.: 10173-104  
OF COMPLEX BIOLOGICAL SAMPLES

**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Esperion Therapeutics, Inc. hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as his/her/its/their attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

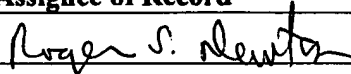
☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 790-2803

I am the:

- ☐ Applicant/Inventor  
☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
(Statement under 37 CFR 3.73(b) is applicable)

SIGNATURE of Applicant or Assignee of Record			
Date:	2/6/04	Signature:	
		Typed Name:	Roger S. Newton
		Position/Title:	President & CEO

**Statement Under 37 C.F.R. 3.73(b)**

Esperion Therapeutics, Inc. states that it is:

- ☒ the assignee of the entire right, title, and interest; or  
☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ The assignment of parent application no. 09/735,707, which was recorded in the United States Patent and Trademark Office on July 10, 2001 at Reel 01195, Frame 0081, a copy of which is attached hereto as Exhibit A.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:

The document was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

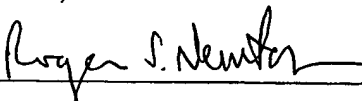
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

**ASSIGNEE: Esperion Therapeutics, Inc.**

Date:

2/6/04

Signature:



Typed Name:

Roger S. Newton

Position/Title:

President & CEO

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

- ☐ Total of forms are submitted.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 18, 2001

PTAS

FLEHR HOHBACH TEST ALBRITTON ET AL  
ROBIN M. SILVA  
SUITE 3400  
FOUR EMBARCADERO CENTER  
SAN FRANCISCO, CA 94111-4187



\*101776810A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/10/2001

REEL/FRAME: 011965/0081  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DASSEUX, JEAN-LOUIS

DOC DATE: 07/03/2001

ASSIGNOR:

NEWTON, ROGER S.

DOC DATE: 06/27/2001

ASSIGNOR:

REA, THOMAS J.

DOC DATE: 06/25/2001

ASSIGNOR:

BISGAIER, CHARLES L.

DOC DATE: 06/25/2001

ASSIGNOR:

PAPE, MICHAEL E.

DOC DATE: 06/26/2001

ASSIGNEE:

ESPERION THERAPEUTICS, INC.  
3621 S. STATE STREET, 695 KMS  
ANN ARBOR, MICHIGAN 48108

011965/0081 PAGE 2

SERIAL NUMBER: 09735707  
PATENT NUMBER:

FILING DATE: 12/12/2000  
ISSUE DATE:

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECOR

07-16-2001

ET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101776810

To the Honorable Commissioner of Patents and 1

1 documents or copy thereof.

1. Name of conveying party(ies):

Jean-Louis H. DASSEUX; Roger S. NEWTON;  
Thomas J. REA; Charles L. BISGAIER; Michael E.  
PAPE

Additional name(s) of conveying  
party(ies) attached?

☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
Execution Date: June 25, 26, 27, 2001; July 3, 2001

2. Name and address of receiving party(ies):

Internal Address: Esperion Therapeutics, Inc.

Street Address: 3621 S. State Street, 695 KMS  
Place

City: Ann Arbor

State: Michigan Zip: 48108

Additional name(s) & address(es) attached?

☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s): 09/735,707

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning  
document should be mailed:

Name: Robin M. Silva

Internal Address: FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Street Address: SUITE 3400

FOUR EMBARCADERO CENTER

City: SAN FRANCISCO

State: CA

Zip: 94111-4187

6. Total number of applications 1  
and patents involved:

7. Total fee (37 CFR 3.41):.....\$40.00

☒ Enclosed

☐ Authorized to be charged to deposit  
account

8. Deposit account number: 06-1300

Please debit any underpayment or credit any overpayment  
to the above deposit account.

Our Order No. \_\_\_\_\_

(Attach duplicate of this page if paying by deposit account)

07/13/2001 DBYRNE 00000200 09735707

01 FC:581 40.00 02

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached  
copy is a true copy of the original document.

Robin M. Silva  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document: [6]

OMB No. 0651-0011 (exp. 4/94)

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Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231

File No. A-69561-1/RMS

Rev. 8/93

## ASSIGNMENT

WHEREAS, the undersigned,

(1) Jean-Louis H. DASSEUX  
(3) Thomas J. REA  
(5) Michael E. PAPE

(2) Roger S. NEWTON  
(4) Charles L. BISGAIER

(hereinafter termed "Inventors"), residents of

(1) Brighton, Michigan  
(3) Pinckney, Michigan  
(5) Ann Arbor, Michigan

(2) Ann Arbor, Michigan  
(4) Ann Arbor, Michigan

respectively, Counties of

(1) Livingston  
(3) Livingston  
(5) Washtenaw

(2) Washtenaw  
(4) Washtenaw

respectively, States of

(1) Michigan  
(3) Michigan  
(5) Michigan

(2) Michigan  
(4) Michigan

respectively, have invented certain new and useful improvements in

Fourier Transform Mass Spectrometry of Complex Biological Samples

and have executed an application for a United States patent disclosing and identifying the invention having Serial No. 09/735,707 and filing date of December 12, 2000; and

WHEREAS, Esperion Therapeutics, Inc., a corporation of the State of Deleware, having a place of business at 3621 S. State Street, 695 KMS Place, Ann Arbor, State of Michigan, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.


2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.




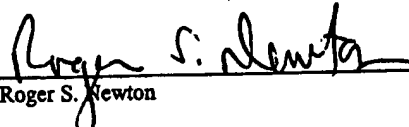
IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee as follows:

Date: July 3<sup>rd</sup>, 2001 (1)   
Jean-Louis H. Dasseux  
County of Washtenaw )  
State of Michigan )ss.

On this 3<sup>rd</sup> day of July, in the year 2001, before me, Jill Prieb Notary Public of the State of Michigan, personally appeared (1) Jean-Louis H. Dasseux, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

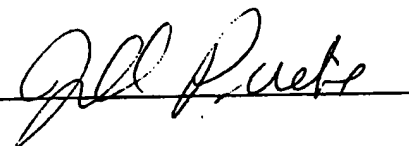
Signature  (Seal)

Date: 27-June 01 (2)   
Roger S. Newton

County of Washtenaw )  
State of Michigan )ss.

On this 27 day of June, in the year 2001, before me, Jill Prieb Notary Public of the State of Michigan, personally appeared (2) Roger S. Newton, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (Seal)

Date: 25 June 2001

(3) Thomas J. Rea  
Thomas J. Rea

County of Washtenaw  
State of Michigan

)  
)ss.

On this 25<sup>th</sup> day of June, in the year 2001, before me, Jill Priebe, Notary Public of the State of Michigan, personally appeared (3) Thomas J. Rea, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Jill Priebe

(Seal)

Date: 6/25/2001

(4) Charles L. Bisgaier  
Charles L. Bisgaier

County of Washtenaw  
State of Michigan

)  
)ss.

On this 25<sup>th</sup> day of June, in the year 2001, before me, Jill Priebe, Notary Public of the State of Michigan, personally appeared (4) Charles L. Bisgaier, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Jill Priebe

(Seal)

Date: 6-26-01

(5) Michael E. Pape  
Michael E. Pape

County of Washtenaw  
State of Michigan

),  
)ss.

On this 26 day of June, in the year 2001, before me, Jill Perche, Notary Public of the State of Michigan, personally appeared (5) Michael E. Pape, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Jill Perche

(Seal)